SUPPORT FOR THE AMENDMENTS

Claims 1-3, 5, 6, 9, 10, and 12 were previously canceled.

Claims 4, 11, 20, 23, and 28-30 have been amended.

The amendment of Claims 4, 11, 20, 23, and 28-30 is supported by original Claims 1, 4, 11, and 12, as well as the specification as originally filed, for example, at page 3, line 23 to page 5, line 10 and page 6, line 6 to page 11, line 8 (in particular page 10, lines 2-11).

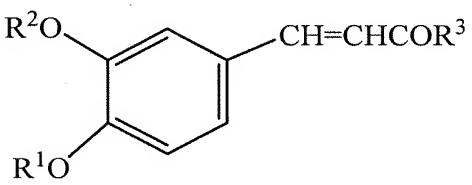
No new matter has been added by the present amendment.

REMARKS

Claims 4, 7, 8, 11, and 13-32 are pending in the present application.

The rejection of Claims 4, 7-8, 13-14, 17, 19, 20-23, 26, 29, and 31 under 35 U.S.C. §102(a) over Cheng et al is respectfully traversed.

The presently claimed invention provides, *inter alia*, a method for treating hypertension, which comprises administering to a patient in need thereof an effective amount of a composition comprising a compound of formula (1):



(1)

wherein, R^3 represents a hydroxyl group, or an amide bond residue selected from the group consisting of glycine, alanine, valine, leucine, isoleucine, phenylalanine, proline, serine, threonine, cysteine, cystine, methionine, tyrosine, asparagine, glutamine, aspartic acid, glutamic acid, lysine, arginine and histidine (see Claims 4 and 20).

In the outstanding Office Action, the Examiner has once again alleged that the presently claimed invention is anticipated by Cheng et al. In making this rejection, the Examiner asserts that Cheng et al "teaches a use of a composition or extract comprising caffeoylquinic acid such as 3,4-dicaffeoylquinic acid, 3,5-dicaffeoylquinic acid, 3,4-dicaffeoylquinate and 4,5-dicaffeoylquinate, chlorogenic acid, methylchlorogenate, methyl caffeate and protocatechuic acid isolated from L. Japonica plant for the treatment of hypertension, wherein said compound is administered intravenously (i.v.) in dosage of 0.1 to 60mg/kg (abstract and pages 577-581)"

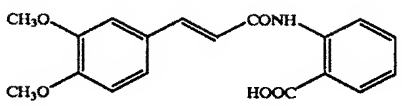
However, the Examiner is reminded that Claim 4 was amended on March 14, 2005, to remove "an ester bond residue" from R^3. As such, Cheng et al does not disclose any compounds within the scope of formula (1).

For a further history of the rejections over Cheng et al and the withdrawal of the same due to the previous Examiner's recognition that the aforementioned amendment clearly distinguishes the claimed invention from this reference, the Examiner is invited to review the Office Action mailed September 14, 2004, Applicants response filed on March 14, 2005 canceling "an ester bond residue" from R^3", the Office Action mailed June 1, 2005, Applicants response filed January 3, 2006, and the Office Action mailed February 15, 2006 (see numbered paragraph 4 on page 2 where the allowability of the claimed invention over Cheng et al is acknowledged).

Since Cheng et al does not disclose any compounds within the scope of formula (1), Applicants request withdrawal of this ground of rejection. Acknowledgement to this effect is requested.

The rejections of: (a) Claims 4, 7, 11-17, and 19 under 35 U.S.C. §102(a) over Iwaki et al (WO 200113911); and (b) Claim 18, 20, 21, and 23-31 under 35 U.S.C. §103(a) over Iwaki et al (WO 200113911) in view of Lennox et al (US 6,046,239), Iwaki et al (US 6,180,673), and Isaji et al (US 6,407,139); are obviated by amendment.

This ground of rejection is based on the disclosure by Iwaki et al (WO 200113911) and Iwaki et al (US 6,180,673) of a compound having the structure of:



The Examiner alleges that N-(3,4-dimetehoxycinnamoyl)anthranilic acid (also know as tranilast) is a synthetic derivative of tryptophan. Therefore, based on the broadest reasonable interpretation of "amide bond residue derived from a water soluble amino acid" at position R^3, the Examiner alleges that tranilast falls within the scope of the claims.

Applicants in no way acquiesce to this allegation by the Examiner. Nonetheless to expedite examination of this application, Applicants have opted to address these grounds of rejection by amending Claims 4 and 20 to define the "amide bond residue" at position R^3 as being an "amide bond residue derived from a water soluble amino acid selected from the group consisting of glycine, alanine, valine, leucine, isoleucine, phenylalanine, proline, serine, threonine, cysteine, cystine, methionine, tyrosine, asparagine, glutamine, aspartic acid, glutamic acid, lysine, arginine and histidine". Thus, tranilast is not even remotely related to the claimed invention.

In view of the foregoing amendments, Applicants submit that none of Iwaki et al (WO 200113911), Iwaki et al (US 6,180,673), and Isaji et al (US 6,407,139) disclose or suggest a compound within the scope of the claimed invention.

Accordingly, withdrawal of these grounds of rejection is requested.

Applicants submit that the present application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Vincent K. Shier, Ph.D.
Registration No. 50,552

Customer Number
22850
(703) 413-3000
Fax #: (703)413-2220